



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No. 16114 of 2017

WEB COPY

Sinnaiah

... Petitioner

-Vs-

The Inspector of Police,
Jegathapattinam Police Station,
Pudukkottai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 29.08.2017 at night 09.00 to 12.00 in connection with "Aavani Festival" in Arulmigu Sri Renugadevi Amman Kovil at Jegathapattinam Village, Manamelkudi Taluk, Pudukkottai District, by considering the petitioner's representation dated 14.08.2017.

For Petitioner : Mr.E.Balasubramanian

For Respondent : Mr.A.K.Baskara Pandian,
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 29.08.2017 at night 09.00 to 12.00 in connection with "Aavani Festival" in Arulmigu Sri Renugadevi Amman Kovil at Jegathapattinam Village, Manamelkudi Taluk, Pudukkottai District, by considering the petitioner's representation dated 14.08.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Aadal Padal Dance Programme" on 29.08.2017 in connection with a "Aavani Festival" in "Arulmigu Sri Renugadevi Amman Kovil" at Jegathapattinam Village, Manamelkudi Taluk, Pudukkottai District. He further submitted in connection, a representation was given to the respondent on 14.08.2017, with a request to grant permission and protection to conduct the programmes on the above said date.



However, the respondent has not taken any action in this regard. Hence, the petitioner is before this Court with this Writ Petition.

4. The learned Special Government Pleader appearing for the respondent on instructions submitted that this Court may grant permission for "Aadal Padal Dance Programme" subject to stringent conditions.

5. Considering the facts and circumstances of the case, Writ petition is allowed with the following direction:-

The respondent/The Inspector of Police, Jegathapattinam Police Station, Pudukkottai District, is directed to consider the representation of the petitioner, dated 14.08.2017 and to give permission and to provide police protection for "Aadal Padal Dance Programme" in connection with a "Aavani Festival" in "Arulmigu Sri Renugadevi Amman Kovil" at Jegathapattinam Village, Manamelkudi Taluk, Pudukkottai District, subject to the following conditions;

(a) *the "Aadal Padal Dance Programme" in connection with a "Aavani Festival" in "Arulmigu Sri Renugadevi Amman Kovil" at Jegathapattinam Village, Manamelkudi Taluk, Pudukkottai District, should be completed before 10.30 p.m or as allowed by the respondent..*

(b) double meaning songs should not be played so as to spoil the minds of students and the youth;

(c) no songs, touching upon any political party or religion, community or caste be played;

(d) no flex boards in support of any political party or religious leader be erected;

(e) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(f) if there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

(g) similarly, the Police is empowered to stop the programme, if it exceeds beyond the permitted time;

(h) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

<https://hcservices.ecourts.gov.in/hcservices/> untoward incident takes place, the organizers of the programme be made responsible for the same.



6. It is open to respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting up any Flex Boards representing any community. No costs.

WEB COPY

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Jegathapattinam Police Station,
Pudukkottai District.

+1cc to M/S.E.BALASUBRAMANIAN, Advocate SR.No.74840

+1cc to Special Government Pleader, SR.No.75109

mm/msa

MAS/SV-MMS/SAR4:29.08.2017:3P-4C

W.P.(MD) No. 16114 of 2017
28.08.2017